

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

AUG 07 2016

for the

Southern District of Texas

United States of America)

v.)

GARCIA-Medina, Francisco YOB: 1992)
United States Citizen)

Defendant(s)

Case No.

M-16-1479-M

Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/5/2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess,
with intent to distribute approximately
106.14 kilograms of marijuana, a
Schedule I Controlled Substance under
the Controlled Substance Act.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.

Complainant's signature

Erik Lambel, Special Agent, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/7/2016City and state: McAllen, Texas

Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Attachment A

On August 5, 2016, United States Border Patrol (USBP) Agent Benjamin Prater, while conducting line watch activities in the area of Twin Roads and Sonny Millers Farm in Pharr, TX, observed several subjects with bundles crossing the Rio Grande River approximately ¼ mile east of Twin Roads. At approximately 4:55 P.M., Agent Prater observed the subjects move north into the brush, west of Dyers Red Gate. At the same time, the agent assigned to the Pharr Raid Tower observed a red single cab Dodge Ram 1500 traveling north of the area the subjects were carrying the bundles towards. USBP Agent Indalescio Trevino radioed to agents that he (Treinvo) had visual observation of the only exit a vehicle could use to exit that area. Agent Prater continued east towards the area where the bundles were being transported and observed three subjects running south towards the river, two of which were carrying bundles. At approximately 5:00 P.M., Agent Trevino proceeded south on Chachalaca Road and spotted the vehicle coming northbound. Based on reasonable suspicion the vehicle was involved in narcotics smuggling activities, Agent Trevino conducted a vehicle stop and observed the bundles in open view in the bed of the truck. The driver, later identified as Francisco GARCIA-Medina was taken into custody. A search incident to the arrest led agents to discover two firearms located within the vehicle. GARCIA, two firearms, vehicle, and the bundles weighing approximately 106.14 kilograms, were transported to the Weslaco Border Patrol Station for processing.

On August 5, 2016, DEA Special Agents (SA) Erik Lambel, Leonel Reyna, and Task Force Agent (TFA) Israel Trevino responded to the USBP Weslaco Station to investigate this incident and were apprised of the details regarding this case. SA Reyna read Francisco GARCIA-Medina his Miranda Rights in his preferred language of Spanish, as witnessed by SA Lambel. GARCIA stated he understood his rights and was willing to answer some questions. GARCIA stated a friend of his offered to pay him several hundred dollars to drive to an area near the river to "check for anything suspicious". When asked what happened when he (GARCIA) arrived, GARCIA stated several individuals came out of the brush line and started throwing bundles into the bed of his truck. GARCIA claimed he did not know what it was that they threw into his truck bed. All questioning was stopped when GARCIA had no further information to provide.